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If you experience problems receiving this fax, please call Terri Lauro at 617-517-5592.

**Message : Re: Application No.: 10/001,218; filed 11/30/2001**

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# Edwards & Angell LLP

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July 20, 2004

**VIA FACSIMILE**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Application Serial No.: 10/001,218, filed on November 30, 2001  
Title: ETHANOL PRODUCTION IN GRAM-POSITIVE MICROBES  
Inventors: Lonnie O. Ingram, *et al.*  
Attorney Docket No.: 49950-59824CON4

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Amendment and Response After Final Pursuant to 37 C.F.R. §1.116 (7 pages);
2. Amendment Transmittal Letter (1 page, in duplicate);
3. Terminal Disclaimer to Obligate a Double Patenting Rejection Over a Prior Patent (Patent No. 5,482,846) (1 page);
4. Terminal Disclaimer to Obligate a Double Patenting Rejection Over a Prior Patent (Patent No. 5,916,787) (1 page);
5. Request for three (3) month extension of time (1 page, in duplicate) and;
6. Fee Transmittal (1 page, in duplicate).

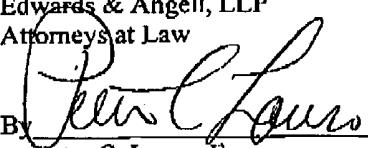
Please charge any deficiencies or credit any overpayments to our Deposit Account No.04-1105.  
The undersigned requests any extensions of time necessary to respond. *A duplicate of this sheet is enclosed.*

<u><b>Certificate of Facsimile Transmission</b></u>	
Date of Transmission <u>July 20, 2004</u>	
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 <u>Peter C. Lauro</u> Signature <u>Peter C. Lauro, Esq.</u> Please Print Name of Person Signing	

Edwards & Angell, LLP

Attorneys at Law

By

  
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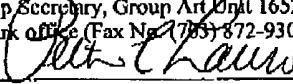
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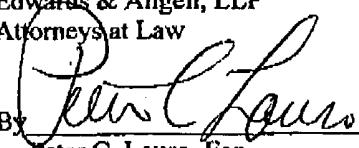
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In re the application of: Lonnie O. Ingram *et al.*  
Serial No.: 10/001,218  
Filed: November 30, 2001  
For: *ETHANOL PRODUCTION IN GRAM-  
POSITIVE MICROBES*  
Attorney Docket No.: 49950-59824CON4

Group Art Unit: 1652

Examiner: Saidha, T.

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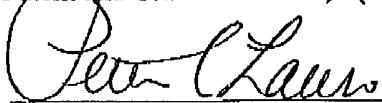
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Dated: July 20, 2004

  
Peter C. Lauro, Esq.

\*\*\*\*\*

AMENDMENT AND RESPONSE AFTER FINAL PURSUANT TO 37 C.F.R. §1.116

Dear Sir:

This is in response to the final Office Action mailed April 16, 2004 in the above-identified application. A separate request for a three-month extension of time in which to reply, and the requisite extension fee based on small entity status, are filed concurrently herewith.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks begin on page 5 of this paper.